

Date Created:	September 3, 2019
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Sponsors:	TBD
Attachment A:	Charter of King County Regional Homelessness Authority

1 ..Title

2                   AN ORDINANCE establishing the King County regional  
 3                   homelessness authority; approving a charter therefor; and  
 4                   adding a new chapter to K.C.C. Title 2.

5 ..Body

6                   **STATEMENT OF FACTS:**

- 7         1. The federal and state government, King County and jurisdictions across  
 8                   the county, including the city of Seattle, currently fund programs to  
 9                   provide services to homeless individuals and families, but homelessness  
 10                  and housing insecurity remain a chronic and serious problem.
- 11         2. King County and the city of Seattle signed a memorandum of  
 12                  understanding on May 3, 2018, proposing a partnership to more  
 13                  effectively and consistently coordinate their provision of homeless  
 14                  services, and have received a consultant's report providing guidance on  
 15                  how such a joint effort could be structured.
- 16         3. King County and the city of Seattle have determined that a public  
 17                  corporation chartered to coordinate services within an equitable  
 18                  operational framework centering on people with lived experience will  
 19                  enable and facilitate joint planning, program funding and the  
 20                  establishment of standards for and accountability of programs thereby

21           improving the delivery of services and enhancing outcomes for those  
22           receiving such services.

23           BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

24           SECTION 1. Sections 2 through 14 of this ordinance shall constitute a new  
25           chapter in K.C.C. Title 2.

26           NEW SECTION. SECTION 2. The definitions in this section apply throughout  
27           this chapter unless the context clearly requires otherwise.

28           A. "Additional party" means any municipal corporation, governmental agency or  
29           public entity located within King County, other than Seattle and the county, that has  
30           executed the interlocal agreement or an amendment to the interlocal agreement, or has  
31           otherwise accepted and assumed the terms of the interlocal agreement.

32           B. "Authority" means the King County Regional Homelessness Authority  
33           chartered by the county under this chapter and the authority's charter.

34           C. "Bylaws" mean the bylaws of the authority.

35           D. "Charter" means the charter of the authority.

36           E. "Five-year plan" means the five-year implementation plan developed by the  
37           authority, approved by the governing board, and confirmed by the steering committee in  
38           accordance with the interlocal agreement and the charter. The five-year plan shall  
39           incorporate requirements of the service agreements from funders and align with the  
40           regional action plan, if any, to guide the authority's operations.

41           F. "Governing board" means the board of directors of the authority, as the same  
42           shall be duly and regularly constituted under the terms of the charter.

43           G. "Homeless services" means shelter, day centers, hygiene facilities, housing  
44       and related services to assist individuals and families experiencing homelessness or who  
45       are at imminent risk of experiencing homelessness.

46           H. "Interlocal agreement" means the Interlocal Agreement for the Joint  
47       Establishment of the King County Regional Homelessness Authority, as it may be  
48       amended, that is authorized under Ordinance XXXX (Proposed Ordinance 2019- \_\_\_\_).

49           I. "Regional action plan" means the plan created to identify regional resource  
50       needs and guide decision making goals.

51           J. "Seattle" means the city of Seattle.

52           NEW SECTION. SECTION 3. A public development authority is hereby  
53       created in accordance with RCW 35.21.730 through 35.21.755, with powers and  
54       limitations set forth in its charter and this chapter, to receive revenues from the county,  
55       Seattle and other public and private sources and to provide consolidated, aligned  
56       services for individuals and families who are experiencing homelessness or challenged  
57       by housing insecurity in the jurisdictional boundaries of King County.

58           NEW SECTION. SECTION 4. The name of the public development authority  
59       shall be the King County Regional Homelessness Authority.

60           NEW SECTION. SECTION 5. The charter of the authority as set forth in  
61       Attachment A to this ordinance, is hereby approved. The clerk of the council shall,  
62       within ten days following the effective date of this section, issue the charter in duplicate  
63       originals, each bearing the county seal attested by the clerk of the council. The clerk of  
64       the council shall file and record one original charter with the records and licensing

65 services division and provide one copy of the charter to the county executive on behalf  
66 of the authority.

67 **NEW SECTION. SECTION 6.**

68 A. The charter may be amended by the county council by ordinance to comply  
69 with changes in state law or to make the charter consistent with this chapter. Notice of  
70 the amendments shall be provided in accordance with the charter.

71 B. The charter may also be amended by resolution of the governing board, and  
72 upon the affirming vote of the county council and Seattle City Council, with the  
73 concurrence of any additional parties as outlined in the charter. An amendment adopted  
74 by resolution of the governing board must also be consistent with this chapter and shall  
75 require an affirmative vote of two-thirds of the members of the governing board.

76 C. All amendments shall be issued in duplicate originals, each signed by the  
77 county executive, at which time the charter amendment shall be effective. One original  
78 amendment shall be filed by the clerk of the council as a public record. One original  
79 amendment shall be delivered to the authority by the clerk of the council.

80 **NEW SECTION. SECTION 7.** Except as limited by this chapter or the charter,  
81 the authority may exercise all lawful powers necessary or convenient to effect the  
82 purposes for which it is organized and to perform authorized corporate functions, as  
83 provided in its charter and bylaws.

84 **NEW SECTION. SECTION 8.** To the maximum extent permitted by law, the  
85 authority is an independent legal entity. All debts, obligations and liabilities incurred by  
86 the authority shall be satisfied exclusively from the assets and properties of the authority  
87 and no creditor or other person shall have any recourse or right of action against the

88 county, Seattle or any other public or private entity or agency on account of any debts,  
89 obligations or liabilities of the authority unless explicitly agreed to in writing by the  
90 entity or agency.

91 **NEW SECTION. SECTION 9.**

92 A. A steering committee is hereby established, composed of the following  
93 members:

- 94 1. The county executive;
- 95 2. One member of the county council;
- 96 3. The Seattle mayor;
- 97 4. One member of the Seattle city council;
- 98 5. Up to two elected officials from cities other than Seattle, as specified in the  
99 charter; and
- 100 6. Two members representing stakeholders who have experienced  
101 homelessness, as specified in the charter.

102 B. The sole duties of the steering committee are:

- 103 1. Confirming and removing governing board members for cause as provided  
104 in the charter;
- 105 2. Confirming without amendment the five-year plan;
- 106 3. Receiving an annual performance report from the governing board, and
- 107 4. Confirming without amendment the annual budget presented by presented  
108 by the governing board that is consistent with the five-year plan.
- 109 5. If the steering committee does not make any of confirmations described above,  
110 it shall communicate the reasons for that decision to the governing board.

111           C. All action of the steering committee shall require an affirmative vote of a  
112 simple majority of its members voting on the issue.

113           D. At all meetings of the steering committee, a quorum of the members must be  
114 in attendance in order to do business on any issue. A quorum consists of a majority of  
115 the members in number, excluding any steering committee member who has given  
116 notice of withdrawal or has been terminated as a member by vote of the steering  
117 committee.

118           NEW SECTION. SECTION 10.

119           A. A governing board composed of eleven members is hereby created to  
120 manage the authority and provide strategic vision, community accountability and robust  
121 oversight for the authority. The management of all authority affairs shall reside in a  
122 governing board. The governing board shall exercise its duties in accordance with the  
123 requirements and limitations specified in the charter. Appointments to the governing  
124 board and removal of governing board directors shall be in accordance with the charter.

125           B. At all meetings of the governing board, a quorum of the governing board  
126 must be in attendance in order to do business on any issue. A quorum consists of a  
127 majority of the governing board members in number, excluding any governing board  
128 member who has given notice of withdrawal or has been terminated as a member by  
129 vote of the governing board.

130           NEW SECTION. SECTION 11. The authority may adopt and amend bylaws  
131 that are consistent with the charter to provide rules for governing the authority and its  
132 activities. The adoption and amendment of bylaws shall require an affirmative vote of a  
133 two-thirds of the then-current members of the governing board.

134           **NEW SECTION. SECTION 12.** The governing board may appoint, designate,  
135        employ and remove an executive director of the authority. The executive director shall  
136        be responsible for hiring other personnel as determined to be needed to carry out the  
137        authority duties. The executive director shall be responsible to the governing board for  
138        the administration of the affairs of the authority as may be authorized by resolution of  
139        the governing board, including, but not limited to:

- 140           A. Supervision and management of the authority's administrative affairs;  
141           B. Signing documents and contracts on behalf of the authority; and  
142           C. Performing such other duties as delegated or assigned by the governing  
143        board.

144           **NEW SECTION. SECTION 13.** The governing board shall empower a  
145        continuum of care board created in accordance with 24 C.F.R. Part 578, or its successor  
146        regulation, to act as an advisory committee or establish an advisory committee to serve  
147        in an advisory capacity to the governing board and to provide a broad array of  
148        perspectives, which members of the advisory committee shall be appointed by the  
149        governing board. The advisory committee shall be comprised of individuals with  
150        experience related to preventing and ending homelessness, as specified in the charter.

151           **NEW SECTION. SECTION 14.**

152           A. Proceedings for dissolution of the authority may be initiated by the county  
153        council on its own motion, by request of the Seattle city council or the council of an  
154        additional party or, if the governing board makes an affirmative finding that dissolution  
155        is necessary or appropriate, by the governing board adopting a resolution requesting that  
156        the county dissolve the authority. In all cases, dissolution requires an affirmative

157 finding of the county council and Seattle city council that dissolution is warranted, with  
158 the concurrence of any additional parties. Notice of any intended dissolution shall be  
159 provided in accordance with the charter. Dissolution shall not take effect until proper  
160 provision has been made for disposition of all the authority assets and liabilities.

161           B. Upon adoption of resolutions for dissolution of the authority, the governing  
162 board shall, by resolution, approve a dissolution statement that includes such matters as  
163 are specified in the charter.

164           C. Upon satisfactory completion of dissolution proceedings, the county shall  
165 indicate the dissolution by inscription of "charter cancelled" on the charter, and file the  
166 cancelled charter with the clerk of the council, with a duplicate original to the authority.  
167 At that point, the existence of the authority ceases. The county shall give notice of the  
168 dissolution in accordance with Washington state law and to other persons requested by  
169 the authority in its dissolution statement.

170           D. The county, trustee or court may provide for the transfer of any of the  
171 authority rights, assets or property to a qualified entity or entities to fulfill the purposes  
172 for which the authority was chartered.